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Supreme Court, U.S.

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CLERK OF THE COURT

No. 108, Original

IN THE
Supreme Court of the United States
October Term, 1993

STATE OF NEBRASKA,
Plaintiff,

v.

STATE OF WYOMING,
Defendant.

**JOINT MOTION TO REFER MOTIONS FOR LEAVE
TO FILE AMENDED PLEADINGS TO THE SPECIAL
MASTER FOR HIS RECOMMENDATION**

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The States of Nebraska and Wyoming hereby move that the Court refer the motions for leave to file amended pleadings filed herewith to the Special Master for his recommendations to the Court. In support hereof, Nebraska and Wyoming state:

1. By order of April 26, 1993, the Court referred Counts II and III of Nebraska's motion of October 9, 1991, for leave to amend petition, to the Special Master. 113 S.Ct. 1941 (1993).

2. As a consequence of changed circumstances and the Court's decision of April 20, 1993, the State of Nebraska is effectively withdrawing Count III of the amended petition of October 9, 1991, and has incorporated the elements of Count II into the proposed amended petition filed herewith.

3. As a consequence of changed circumstances and the Court's decision of April 20, 1993, the State of Wyoming is requesting leave of the Court to amend its Counterclaim, as reflected in the proposed amended pleadings filed herewith.

4. The Special Master's familiarity with case developments and the underlying factual disputes could aid the Court in deciding whether to exercise its jurisdiction under U.S. Const. art. III, § 2.

WHEREFORE, the States of Nebraska and Wyoming move that the Court refer the motions to amend pleadings filed herewith to the Special Master for his recommendations to the Court.

Respectfully submitted,

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